

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INFORMATIVE TECHNOLOGY SYSTEMS LLC,

CASE NO. 2:21-cv-01594-TL

ORDER TO SHOW CAUSE

Plaintiff,

V.

AXINOM CORPORATION,

Defendant.

In November 2021, this case was filed by Plaintiff and summons was issued. Federal Rule of Civil Procedure 4 sets forth the requirements for Plaintiff to serve the defendant with a summons and a copy of the plaintiff's complaint. *See Fed. R. Civ. P. 4.* The Court entered an initial case schedule setting initial deadlines that were not met. The Court then struck those deadlines because Defendant had yet to appear, and Plaintiff had yet to provide the Court with proof of waiver or service of process per Rule 4. *See id.*

Rule 4(m), which provides the timeframe in which service must be effectuated, states in relevant part:

1 If a defendant is not served within 90 days after the complaint is filed, the court—
2 on motion or on its own after notice to the plaintiff—must dismiss the action
3 without prejudice against that defendant or order that service be made within a
4 specified time. But if the plaintiff shows good cause for the failure, the court must
5 extend the time for service for an appropriate period.

6 *Id.* It appears that Plaintiff has failed to serve Defendant with process within the timeframe
7 provided in Rule 4(m). Accordingly, the court ORDERS Plaintiff to SHOW CAUSE **by no later**
8 **than March 22, 2022**, as to why this action should not be dismissed for failure to comply with
9 Rule 4(m). If Plaintiff does not demonstrate good cause for the failure, the court will dismiss the
10 action without prejudice.

11 IT IS SO ORDERED.

12 Dated this 8th day of March 2022.

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14 Tana Lin
15 United States District Judge
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